Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

DOC # 00354928
Affidavits B: 0602 P: 0643
Jayrene B Nielsen Sevier County Recorder Page 1 of 9 07/01/2008 10:08:35 AMFee \$0.00By GOVERNOR OF THE STA
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THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Sevier County known as 1097d,386g,94p Fishlake Dugway Road; County Road Number: 6048; State Geographic Information Database (SGID) Road Identification Number: RD210019.

This document supplements and supports the information contained in the document first recorded at **Doc** # 00344614, Bk 0561, Beg Pg 0079, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on 2/13/2008 at Doc #00352433 Bk 0591, Beg Pg 0318. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 25 day of June, 200 &.

By the Governor's Designee

CERTIFICATION

State of Utah : SS County of Salt Lake

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

NOTARY PUBLIC PAMELA Z. BLACKHAM 5110 State Office Bldg Salt Lake City, Utah 84114 COMMISSION EXPIRES May 3, 2011 STATE OF UTAH

Dated this 25 day of flare, 2008.

Pamela Z. Blackhaw

Exhibit A

DOC # 00354928

Affidavits B: 0602 P: 0644

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AFFIDAVIT OF IVAN COWLEY FISHLAKE DUGWAY SEVIER COUNTY, UTAH COUNTY ROAD NUMBER 6048

State of Utah)
	: ss.
County of Sevier)

IVAN COWLEY, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Venice, Sevier County, Utah. I have lived in Sevier County since the 1930's.
- 2. I have traveled and am familiar with a road in Sevier County known as Fishlake Dugway. I am also familiar with the land the road traverses. When I first used and observed the road in 1940, it followed the same route as in September 2006 when I last observed it. Attached is a Sevier County map showing Fishlake Dugway. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number
 listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1940 and continuing through 1976 to 2006. By my observation, travelers on the road during the indicated time periods included those who went by means of automobiles and pickups. Throughout this time period, the road has been used weekly.
- 5. Throughout the time period from 1940 to 2006, I have used the road myself for recreation.
- 6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, as well as for oil and



gas exploration, prospecting for minerals, mail delivery, government access, wood gathering, livestock operations, logging, tourism, and recreation such as camping, picnicking, hiking, sightseeing, hunting, fishing, accessing Fish Lake, and traveling throughout the area.

- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1940 and continuing through 1976 to the present, for the uses described in the previous paragraphs.
 - 8. Prior to 1976, I have observed the graded surface of the road.

DATED this ______ day of November, 2006.

IVAN COWLEY

SUBSCRIBED AND SWORN to before me this 15th day of October, 2006.

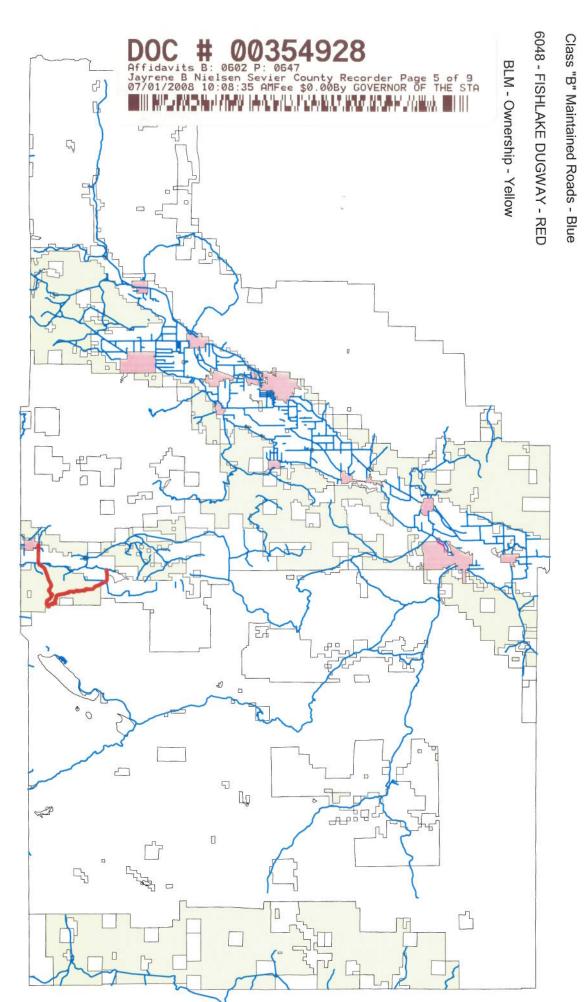
Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City. UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC

DOC # 00354928

Affidavits B: 0602 P: 0646

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SEVIER COUNTY RS2477 October 19, 2006

AFFIDAVIT OF JAY BARNEY FISHLAKE DUGWAY ROAD SEVIER COUNTY, UTAH COUNTY ROAD NUMBER 6048

State of Utah)
	: ss
County of Sevier)

JAY BARNEY, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Richfield, Sevier County, Utah. I have lived in Sevier County since 1935.
- 2. I have traveled and am familiar with a road in Sevier County known as the Fishlake Dugway Road (County Road Number 6048). I am also familiar with the land the road traverses. When I first used and observed the road in 1934, it followed the same route as in 2005 when I last observed it. Attached is a Sevier County map showing the Fishlake Dugway Road (County Road Number 6048). To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number
 listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1934 and continuing through 1976 to 2005. Throughout this time period I have observed travel on the road by various means, including team and wagons, horse and buggy, automobiles, pickup, trucks, and ATV'S. Throughout this time period, the road has been used daily weather permitting.

DOC # 00354928

Affidavits B: 0602 P: 0648

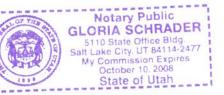
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- 5. Throughout the time period from 1934 to 2005, I have used the road myself for the following uses: Fishing and hunting and wood gathering.
- 6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: Access road for the forest service and cattle operations.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.
- 8. Prior to 1976, I observed graders and caterpillars performing maintenance and construction activities on the road. The road was constructed with bulldozers and in earlier days Fresno scrapers (poor man's loader and backhoe).

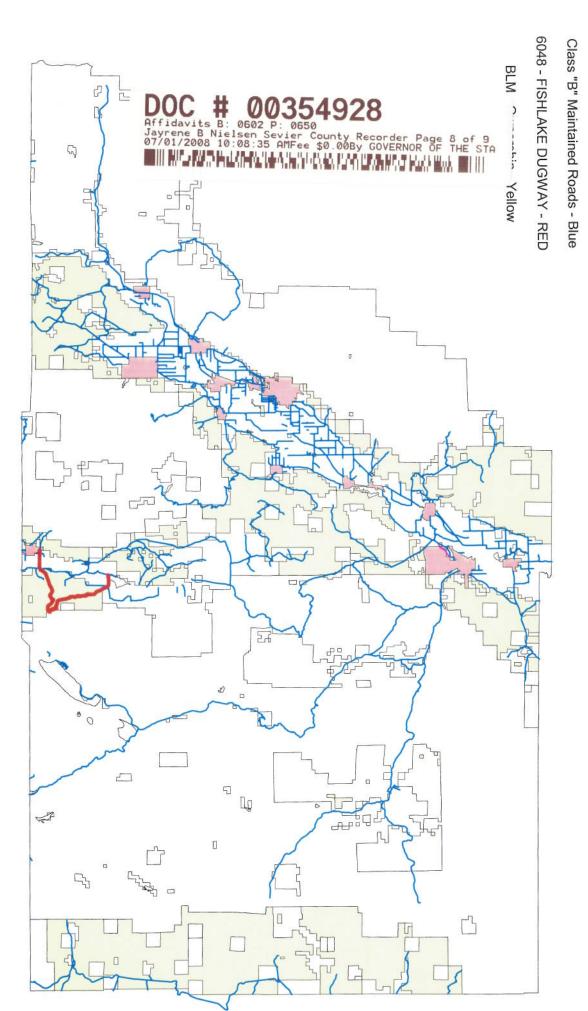
DATED this __/6 day of November, 2006.

JAY BARNEY

SUBSCRIBED AND SWORN to before me this _______ day of November, 2006.



Motary Public



SEVIER COUNTY RS2477 October 19, 2006

Exhibit B

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: 1097d,386g,94p_Fishlake Dugway Road

County: Sevier

County Road Number: 6048

State Geographic Information Database (SGID) Road Identification Number: RD210019.

Total Road Length: 11.59 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 31 minutes 14.14 seconds North Latitude and -111 degrees 52 minutes 52.13 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,531,348.0 feet and Y = 6,630,110.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 35 minutes 26.91 seconds North Latitude and -111 degrees 50 minutes 56.35 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,540,650.9 feet and Y = 6,655,647.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 25 South Range 1 East, Section(s) 31,32, Salt Lake Base & Meridian Township 26 South Range 1 East, Section(s) 5,8,17,19,20,21, Salt Lake Base & Meridian Township 26 South Range 1 West, Section(s) 24,25,26, Salt Lake Base & Meridian

DOC # 00354928

Affidavits B: 0602 P: 0651

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